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21 SAXON MORTGAGE SERVICES, INC.

22 **UNITED STATES DISTRICT COURT**
23 **NORTHERN DISTRICT OF CALIFORNIA**

24 MARIE GAUDIN, individually, and on
25 behalf of others similarly situated,

26 Plaintiffs,

27 vs.

28 SAXON MORTGAGE SERVICES, INC.,
a Texas corporation,

Defendant.

Case No.: 3:11-cv-01663-RS

CLASS ACTION

**STIPULATION AND ~~(PROPOSED)~~
ORDER CONTINUING INITIAL
CASE MANAGEMENT CONFERENCE
AND RELATED DEADLINES
AS MODIFIED BY THE COURT**

Date: September 8, 2011

Time: 10:00 a.m.

Department: Courtroom 3

WHEREAS,

1. This action was filed on April 6, 2011.

1 2. On May 3, 2011, this action was assigned to the Hon. Richard Seeborg, with an
2 Initial Case Management Conference set for July 14, 2011, and related pre-conference
3 deadlines.

4 3. The parties agreed to extend Defendant's time to respond to the Complaint from
5 May 12, 2011 to May 20, 2011.

6 4. On May 20, 2011, Defendant filed a Motion to Dismiss with a hearing date set
7 for June 30, 2011.

8 5. The parties agreed to extend Plaintiff's time to respond to the Motion to Dismiss
9 from June 9, 2011 to June 30, 2011.

10 6. On June 1, 2011, the Court signed an Order granting the parties' request for a
11 continuance of the hearing date from June 30, 2011 to July 21, 2011, and continuing the Initial
12 Case Management Conference from June 14, 2011 to August 25, 2011, with all associated
13 deadlines continued accordingly.

14 7. The parties agreed to extend Defendant's time to reply to Plaintiff's Opposition
15 to the Motion to Dismiss from July 7, 2011 to July 14, 2011.

16 8. On June 29, 2011, the Court signed an Order granting the parties' request for a
17 continuance of the hearing date from July 21, 2011 to July 28, 2011, and continuing the Initial
18 Case Management Conference from August 25, 2011 to September 8, 2011, with all associated
19 deadlines continued accordingly.

20 9. On August 10, 2011, the Clerk of Court issued a Notice vacating the motion
21 hearing scheduled for August 11, 2011.

22 10. On August 22, 2011, the Court issued an Order Granting Defendant's Motion to
23 Dismiss, With Leave to Amend ("Order") within 20 days of the Order.

24 11. Plaintiff intends to file an Amended Complaint by September 12, 2011, and
25 Defendant intends to file a Motion to Dismiss the Amended Complaint by September 26, 2011.

26 12. The Initial Case Management Conference should be continued so that it occurs
27 after Defendant's Motion to Dismiss the Amended Complaint has been heard and decided.
28

1 THEREFORE, the parties hereby stipulate and jointly request an order as follows:

2 1. That the Initial Case Management Conference be continued from September 8,
3 2011, ~~until after Defendant's Motion to Dismiss the Amended Complaint has been heard and~~
4 ~~decided, with all associated deadlines continued accordingly.~~ TO NOVEMBER 3, 2011 AT 10:00 A.M.

5 THE PARTIES SHALL FILE A JOINT
6 IT IS SO STIPULATED. STATEMENT ONE WEEK PRIOR TO THE
CONFERENCE.

7 DATE: August 26, 2011

SEVERSON & WERSON
BINGHAM MCCUTCHEN LLP

9 By: /s/ Erik Kemp

10 Attorneys for Defendant,
11 Saxon Mortgage Services, Inc.

12 DATE: August 26, 2011

JENKINS MULLIGAN & GABRIEL LLP
LAW OFFICE OF PETER FREDMAN

14 By: /s/ Peter Fredman

15 Attorneys for Plaintiff,
16 Marie Gaudin, individually and on
behalf of others similarly situated

17 Attestation: I, Erik Kemp, am the ECF user whose identification and password are
18 being used to file this Stipulation. I hereby attest that Peter Fredman has concurred in the e-
19 filing of this document.


20 By: /s/ Erik Kemp

22 IT IS SO ORDERED.

23 1. The Initial Case Management Conference is continued to November 3, 2011 AT 10:00 A.M.

24 2. All associated deadlines are continued accordingly.

25 Dated: 8/31/11

26 
27 Hon. Richard Seeborg
28 United States District Court Judge